

WAGANAKISING ODAWAK STATUTE 2006-004
MICHELLE CHINGWA EDUCATION ASSISTANCE ACT

SECTION I. PURPOSE

This Michelle Chingwa Education Assistance Act is hereby enacted to enable present and future generations of Waganakising Odawak to obtain post secondary educational opportunities and repeals and replaces the original Michelle Chingwa Education Assistance Act.

SECTION II. DEFINITIONS

A. The “Tribe” shall mean the Little Traverse Bay Bands of Odawa Indians.

SECTION III. APPLICATION

- A. The program shall be administered by the Education Department.
- B. The program shall fund scholarships to Tribal Members attend colleges and universities and other programs approved by Tribal Resolution.
- C. Priority shall be given to students as identified by Tribal Resolution.
- D. Scholarships shall be administered in the following manner:
 - a. The scholarships shall be provided as prioritized and then on a first come first serve basis with no deadlines.
 - b. The scholarships shall be calculated on a semester equivalent per credit hour basis with three classification:
 - i. Junior or community colleges
 - ii. Four year colleges or four year degree programs
 - iii. Graduate level courses
 - iv. The level of each scholarship classification shall be set by Tribal Resolution
- E. Appeals authorized by this statute shall be heard by the Education Commission.
- F. To be eligible for this scholarship the student must:
 - a. Be an enrolled member of the Tribe;
 - b. Be enrolled in the educational institution for which the scholarship is being applied;
 - c. Maintain a 2.0 overall GPA (subject to appeal);
 - d. Have applied for other available financial aid (i.e. the Michigan Indian Tuition Waiver, Pell Scholarship, BIA Scholarship).

SECTION IV. RESTRICTIONS

- A. If a student withdraws their next scholarship shall be reduced by that equivalent amount subject to appeal.

SECTION V. REGULATIONS REQUIRED

- A. The Executive shall develop regulations for this statute however the implementation of the statute shall not be delayed by approval of regulations. The regulations shall define the recipient of the scholarship checks.

SECTION VI. PROCEDURES REQUIRED

- A. None.

SECTION VII. APPROPRIATIONS AUTHORIZED

This Education Assistance Act shall be funded by the Enterprise Fund General Welfare line item of the Enterprise fund with a minimum budget of \$1,000,000.00 per LTBOI fiscal year.

SECTION VIII. EXECUTIVE AUTHORITY

- A. The Tribal Executive is hereby mandated to implement this Act and to enforce all approved Tribal Codes of Regulation and to implement all required Administrative Procedures.

SECTION IX. SEVERABILITY

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION IV. EFFECTIVE DATE

Effective upon signature of the Executive or 30 days from Tribal Council approval which ever comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

Certification

As the Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on May 7, 2006 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	X			
Fred Harrington, Jr.	X			
Dexter McNamara	X			
Mary Roberts	X			
Rita Shananaquet	X			
Alice Yellowbank	X			
Shirley Oldman	X			
Melvin L. Kiogima	X			
Beatrice A. Law	X			

Date: _____

Beatrice A. Law, Legislative Leader

Date: _____

Melvin L. Kiogima, Secretary

Received by the Executive Office on _____ by _____

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: _____

Frank Ettawageshik, Tribal Chairperson